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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue  
Seattle, Washington 98101

September 5, 1995

Reply To  
Attn Of: HW-124

Ms. Lisa Green, Manager  
Environmental Restoration Program  
U. S. Department of Energy  
Idaho Operations Office  
850 Energy Drive  
Idaho Falls, Idaho 83401-1563

Re: EPA Comments on Draft Final ROD for OU 4-12 (CFA  
Landfills I, II, and III)

Dear Ms. Green:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Record of Decision (ROD) for Operable Unit (OU) 4-12: Central Facilities Area (CFA) Landfills I, II, and III at the Idaho National Engineering Laboratory (INEL).

Overall the Draft Final ROD is responsive to EPA's previous comments. EPA still has a concern with respect to the emphasis placed on the risk analysis, and the lack of specificity with respect to the institutional controls element of the selected remedy. EPA hopes to resolve these concerns at the scheduled September 6, 1995 meeting between the WAG-4 managers in Idaho Falls. Specific comments are attached.

If you have any questions please contact me at (206) 553-6903.

Sincerely,

A handwritten signature in cursive script, reading "Howard Orlean", is written over a horizontal line.

Howard Orlean  
WAG 4, Remedial Project Manager

cc: w/attachment  
Alan Dudziak, DOE-ID  
Shawn Rosenberger, IDHW-DEQ (Idaho Falls)  
Dean Nygard, IDHW-DEQ (Boise)  
Wayne Pierre, HW-124

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**General Comments**

1. The Draft Final ROD places too much emphasis on the risk analysis. The remedial action is being driven by uncertainties and not by risk, therefore EPA believes that it makes sense to de-emphasize risk.

2. The language regarding institutional controls still needs to be beefed up. EPA suggests using similar language to that found in the recently signed WAG-1, OU1-07B ROD. This language makes reference to administrative controls which include "placing written notification of this remedial action in the facility land use master plan". In addition the language specifies that "the notification shall be given to the Bureau of Land Management (BLM) together with a request that a similar notification be placed in the BLM's property management records for this site".

**Specific Comments**

1. Page ii, Fourth Bullet --

Since DOE does not control the deed for the INEL property, it is impossible to include deed restrictions as part of the selected remedy. EPA suggests that this portion of the selected remedy be modified to state that the term "administrative controls on future land use" be used instead of "deed restrictions".

2. Page 4, Last Paragraph --

This paragraph should be edited so that the chronology of events regarding the Landfill I investigations is clearer. A suggestion would be to exchange the third sentence with the second sentence. In addition, the end of the last sentence would be clearer if the words "all three CFA landfills" were used instead of just "the CFA landfills".

3. Page 25, Section 6 --

See general comment 1 above. This section should be significantly reduced. EPA guidance specifically states that information presented in the ROD must support the selected remedy. By placing too much emphasis on the risk analysis, which is not a factor in the remedial decision, this ROD does not in essence follow the guidance.

4. Page 36, Section 7.1, Second Through Fourth Paragraphs --

Please delete these paragraphs since the remedial action is not being driven by risk. EPA suggests that the first sentence

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of the fifth paragraph of this section be modified to state "Although the risk associated with the CFA landfills are within the acceptable limits of CERCLA, as detailed in Section 6....."

## 5. Page 40, Section 7.4 --

Please beef up this section to include administrative controls such as those suggested in general comment 2, above.

## 6. Page 41, Section 7.5, Second Paragraph --

See specific comment 1, above regarding use of the term "deed restrictions".

## 7. Page 47, Section 9.1, Last Paragraph --

See specific comment 1, above regarding use of the term "deed restrictions". In addition, please include a more detailed description of the type of administrative controls that would be required.